

STEERING, LEGISLATIVE & GOVERNMENTAL COMMITTEE

December 6, 2010

5:30 p.m.

Courthouse

MINUTES:

MEMBERS PRESENT:

Commissioner Jack Black
Commissioner Gary Farley
Commissioner Trey Gooch
Commissioner Jeff Jordan
Commissioner Jeff Phillips
Commissioner Steve Sandlin
Commissioner Adam Coggin, C

OTHERS PRESENT:

Ernest Burgess Jeremy Cothorn
Anthony Tuggle Delia Goodman
Keith Bratcher Susan Allen
Grant Kelley Virgil Gammon
Robert Arnold Robert Taylor
Tom Hartley Anthony Scales
Bernard Salandy Becky Shelton
Dr. Charles Goodman
Joe Frank Jernigan

Chairman Coggin presided and called the meeting to order at 5:30 p.m. with all members being present at that time.

MINUTES:

"Commissioner Phillips moved, seconded by Commissioner Farley, to approve the minutes of the last meeting as mailed. This motion passed unanimously by acclamation."

ANNOUNCE TWO VACANCIES ON CONSERVATION BOARD:

Chairman Coggin advised the positions of Dan Mitchell and Jim Estes on the Conservation Board were expiring and accordingly being announced.

FILL THREE VACANCIES ON AGRICULTURAL ADVISORY BOARD:

Chairman Coggin advised the positions of Commissioner, farm woman and farmer on the Agricultural Advisory Board were to be filled and applications had been received from Steve Sandlin for the Commissioner vacancy, Anthony David Scales for the farmer vacancy and Delia Goodman for the farm woman vacancy. All applicants were in attendance and addressed the Committee. Following discussion,

"Commissioner Phillips moved, seconded by Commissioner Farley, that nominations cease and Steve Sandlin, Anthony David Scales and Delia Goodman be recommended for appointment to the Agricultural Advisory Board for the respective vacancies. This motion passed unanimously by acclamation."

FILL TWO VACANCIES ON CORRECTIONAL WORK CENTER BOARD:

Chairman Coggin advised applications had been received from Grant Kelley, Tom Hartley, Virgil Gammon and Sheriff Robert Arnold for appointment to the Correctional Work Center Board. The Committee was advised Sheriff Arnold had withdrawn his application. All applicants were in attendance and addressed the Committee. Chairman Coggin advised a letter recommending reappointment of Grant Kelley and Tom Hartley has been received from the Correctional Work Center Board Chairman. It was pointed out the letter of recommendation predated the application of Deputy Chief Gammon. Commissioner Sandlin inquired of Deputy Chief Gammon why he was interested in serving on this Board since the meetings are open and he could attend anytime. Deputy Chief Gammon advised the jail works closely with the Correctional Work Center doing classifications and Deputy Chief Gammon knows the direction the Superintendent wants the CWC programs to take and thought he could help by being more involved and working closely with

the staff and Board. Jeremy Cothorn of the County Attorney's Office advised there was no conflict in Deputy Chief Gammon serving on the CWC Board. Following discussion,

"Commissioner Sandlin moved, seconded by Commissioner Farley, to nominate all three applicants and vote for two. Mr. Hartley and Deputy Chief Gammon will be recommended for appointment to the Correctional Work Center Board with Commissioner Black voting for Hartley and Gammon; Commissioner Farley voting for Hartley and Gammon; Commissioner Gooch voting for Kelley and Hartley; Commissioner J. Jordan voting for Kelley and Hartley; Commissioner Phillips voting for Kelley and Hartley; Commissioner Sandlin voting for Hartley and Gammon and Chairman Coggin voting for Hartley and Gammon."

APPOINTMENT OF JUDICIAL COMMISSIONER:

Chairman Coggin next advised Judges of the General Sessions Courts of Rutherford County have requested appointment of Sharon Troutman as a judicial commissioner pursuant to the authority contained in Tennessee Public Acts of 1978, Chapter 933, for a term not to exceed four years and such term to conclude and terminate if and when the term is concluded or the service with Rutherford County is terminated. Following discussion,

"Commissioner Farley moved, seconded by Commissioner Black, to recommend appointment of Sharon Troutman as judicial commissioner for a term not to exceed four years and such term to conclude and terminate if and when the term is concluded or the service with Rutherford County is terminated. This motion passed unanimously by acclamation."

ANTI-LITTER RESOLUTION:

Chairman Coggin advised the Anti-Litter Resolution was coming back before the Committee with changes due to public input received. Jeremy Cothorn of the County Attorney's Office advised additional definitions are included with changes directed to agriculture operations. The definition of agriculture in Section 2 is derived from the Zoning Resolution. Other definitions included are commercial feed lots, farm, forage, horticulture, kennels, nursery retail and wholesale and sod. Section 7 has been amended deleting mud tracked on roads by tires. Section 22 has been amended by adding "Notwithstanding anything to the contrary in this Resolution, (1) property used for agricultural purposes as defined herein is specifically exempted from Section 22 of this Resolution and (2) a property owner shall not be held in violation of this Resolution if, by a preponderance of the evidence, the property owner can prove that the owner has taken all reasonable steps to maintain property free of litter."

The Committee questioned ten days to correct and it was the consensus of the Committee that the Tall Weeds & Grass Ordinance contains ten days to correct.

Commissioner Sandlin suggested opening the matter back up to the public as there still seem to be concerns. Commissioner Sandlin advised he still has concerns about Section 21 and suggested putting this on the February agenda due to the meeting with the legislators in January. Commissioner Phillips suggested posting the Resolution on the County web site with a request for public input. Commissioner Farley advised there is a need in rural districts for the Resolution. Commissioner Joe Frank Jernigan advised he was worried the Commission was fixing a nine page document trying to regulate small stuff and people are being regulated to death and they are tired of it. The Committee discussed the Tall Weeds & Grass Ordinance and how it applies to platted subdivisions only and maybe this could solve the

current problem by having the Anti-Litter Resolution apply to platted subdivisions. Commissioner Farley advised the problem he currently has in his District is not in a platted subdivision. Commissioner Gooch advised additionally, the Resolution would not take care of all newspapers thrown in driveways if it only applied to platted subdivisions. Commissioner Sandlin advised from personal experience trying to help a constituent that the process to cancel distribution of the free newspapers in a driveway does not work and potentially the Resolution needs to be trimmed down to the original intent regarding newspaper circulations. Commissioner Phillips advised the Committee needs more input than just Farm Bureau as the County is growing and changing and the Committee needs to know if there is more support than dissent. Following discussion,

"Commissioner Sandlin moved, seconded by Commissioner Phillips, to defer the matter of the Anti-Litter Resolution to the February meeting hopefully for a reconsideration with posting of the document to the County website and input at the meeting. This motion passed unanimously by acclamation."

Mayor Burgess confirmed Commissioner Farley's inquiry as to whether there are any laws on the books to use to clean up property without passage of this Resolution and there are not.

Commissioner Sandlin advised he would still like the last sentence of Section 21 taken out and to look into the issue of having the Resolution apply to platted subdivisions. Commissioner Farley advised his issue to be cleaned up is not in a platted subdivision.

Commissioner J. Jordan advised he thinks the ten days to correct is insufficient and although this does not affect his district he does want to vote correctly.

RESCHEDULE JANUARY MEETING:

It was the consensus of the Committee to meet January 11 with the legislators but use January 5 as a back up if the first date does not work well for attendance.

OTHER BUSINESS:

Commissioner Sandlin advised it is not clear in the Commissioner Handbook as to the Chairman's duties and specifically as to the last Commission meeting when the Chairman elected to defer the Anti-Litter Resolution instead of presenting the Committee action to the Commission. Commissioner Sandlin wants to have the handbook clarified as to the Chairman's duties for future reference and thinks the Chairman is responsible to report the Committee action. Chairman Coggin advised he did make a report he just did not make the motion of the Committee. Mayor Burgess suggested putting this on a future agenda. Following discussion,

"Commissioner Sandlin moved, seconded by Commissioner Black, to put this issue on the February agenda. This motion passed unanimously by acclamation."

There appearing to be no further business to come before the Committee, Chairman Coggin declared the meeting adjourned at 6:41 p.m.

ADAM COGGIN, Chairman